



Jfm

PATENT
ATTORNEY DOCKET NO. 041465-5211

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ikuya KIKUCHI et al.

Application No.: 10/695,955

Filed: October 30, 2003

For: OPTICAL PICKUP, AND METHOD AND
APPARATUS FOR CORRECTING
ABERRATION OF OPTICAL BEAM

)
) Confirmation No.: 6270
)
) Group Art Unit: 2655
)
) Examiner: To be Assigned
)
)

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. To be best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of an Office Action issued in a corresponding application by the Chinese Patent Office dated April 22, 2005 is enclosed along with its English-language translation.

Relevance of the Chinese Office Action may be understood from the English-language abstract provided.

Applicants respectfully request that the Examiner consider the Chinese Office Action as well as the document listed on the PTO-1449 enclosed and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents is material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


John G. Smith
Registration No. 33,818

Dated: October 21, 2005

CUSTOMER NO. 55694
DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202)-204-0289

